OFFICIAL   **OFFICIAL**

<u>CERTIFICATE OF TRANSMISSION</u>

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office facsimile no. 703-872-9318:

on   <u>DECEMBER 22, 2003</u>
          Date

RECEIVED
CENTRAL FAX CENTER

DEC 2 2 2003

<u>   Michele H. Shockey   </u>
         Signature

OFFICIAL

<u>   Michele H. Shockey   </u>
Typed or printed name of person signing certificate

<u>PATENT</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Shin-itsu TAKEHASHI et al.

Serial No.: 10/088,264   Group Art Unit: 2823

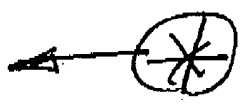Filed: March 18, 2002   Examiner: William D. Coleman

For: **THIN FILM TRANSISTOR AND METHOD FOR FABRICATING THE SAME**

<u>CORRECTED</u>
<u>RESPONSE TO RESTRICTION REQUIREMENT</u>

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Serial No.: 10/088,264

Sir:

In response to the Office Action mailed September 29, 2003, applicants hereby provisionally elect, <u>with traverse</u>, to prosecute the claims of Group II (claims 24-26, 28, 29 and 32-33) in this application. [Corrected to read 24-26, <u>not</u> 24-46.]

However, applicants traverse the restriction requirement since the subject matter of all of claims 1-19, 24-26, 28-29, 32-39, 44-46 and 52-54 is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Search and examination of the entire application could be made without serious burden. See MPEP §803 which clearly states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits." This policy
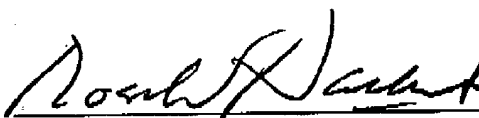
2

Serial No.: 10/088,264

should apply in the present application to avoid unnecessary delay

and expense to applicants and duplicative examination by the Patent

Office.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.

December 22, 2003
Date

Roger W. Parkhurst
Registration No. 25,177

RWP/mhs

Attorney Docket No.: OGOH:108

PARKHURST & WENDEL, L.L.P.
1421 Prince Street, Suite 210
Alexandria, Virginia 22314-2805
Telephone: (703) 739-0220

3